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ATTORNEY DOCKET NO. 14028.0296
SERIAL NO. 09/389,565

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In re application of:

Neville et al.

Serial or Patent No.: 09/389,565

For: AN IMMONOTOXIN WITH *IN VIVO* T CELL
SUPPRESSANT ACTIVITY AND METHODS OF USE

Group Art Unit: 1644

Examiner: Ewoldt, Gerald R.

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

BOX AF
Commissioner for Patents
Washington, D.C. 20231

NEEDLE & ROSENBERG, P.C.
127 Peachtree Street, N.E.,
Atlanta, GA 30303-1811

July 18, 2002

Dear Sir:

Applicant or patent owner hereby appeals under 37 C.F.R. §1.191 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated January 18, 2002, finally rejecting claims 30-33 and 38-42.

The item(s) checked below are appropriate:

1. ☒ [X] An extension of time to respond to the January 18, 2002 final rejection:
 - (a) ☐ [] was obtained on for month(s).
 - (b) ☒ [X] is requested herewith under 37 C.F.R. 1.136.

ATTORNEY DOCKET NO. 14028.0290
SERIAL NO. 09/389,565

2. Payment in the amount of \$1,240.00 is to be charged to a credit card and such payment is authorized by the signed, enclosed document entitled: Credit Card Payment Form PTO-2038 to cover the following fees is enclosed herewith:

[X] Appeal fee amount pursuant to 37 C.F.R. §1.191 and 37 C.F.R. §1.17(b) = \$320.00.

[] Excess independent claim fee pursuant to 37 CFR §1.16(b) = \$

[X] Extension of time fee amount = \$920.00

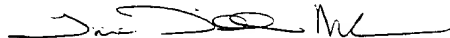
(a) [X] enclosed.

(b) [] Charge to Deposit Account No. 14-0629.
(ADDITIONAL COPY OF THIS NOTICE IS ENCLOSED
HEREWITH).

The Commissioner is hereby authorized to charge any additional amount due or credit any overpayment, to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.



Tina Williams McKeon, Ph.D.
Reg. No. 43,791

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Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX AF, Commissioner for Patents, Washington, D.C. 20231, on the date shown below.


Tina Williams McKeon
Date July 18, 2002